

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.)
)
BRANDON DELGADO)

CRIMINAL NO. 05-10176-RCL

DISMISSAL OF ORIGINAL INDICTMENT AND
COUNT NINE OF SUPERSEDING INDICTMENT

The United States of America, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, hereby dismisses the original Indictment and Count Nine of the Superseding Indictment in this case. As grounds for the instant dismissal, the undersigned states that the defendant was sentenced on Counts One through Eight the Superseding Indictment this date, and the further prosecution of the original Indictment and Count Nine of the Superseding Indictment is not in the interests of justice.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Timothy Q. Feeley
TIMOTHY Q. FEELEY
Assistant U.S. Attorney
(617) 748-3172

October 4, 2006

Leave to File Granted:

REGINALD C. LINDSAY
United States District Judge

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon defendant's

counsel, Michael Liston, Esq., a copy of the foregoing document by hand and electronic filing notice.

/s/ Timothy Q. Feeley
TIMOTHY Q. FEELEY
Assistant U.S. Attorney